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UNCLAS SECTION 01 OF 02 SANTO DOMINGO 007567

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SUBJECT: DOMINICAN ELECTIONS #12: HATUEY IN CHECK, NO END  
GAME FOR PRD NOMINATION

REF: A. (A) SANTO DOMINGO 7132  
      [1B.](#) (B) SANTO DOMINGO 7490

[¶](#)1. (SBU) Following is number 12 in our Dominican presidential election series:

PRD PRIMARIES: HATUEY IN CHECK, BUT NO END GAME YET FOR THE NOMINATION

The Central Electoral Board (JCE) on December 22 issued a ruling that many observers here believe will advance President Mejia's controversial bid for re-election. The ruling sidelined one of President Mejia's four remaining challengers for the ruling PRD's presidential nomination, confirmed the validity of a primary election in which Mejia plans to compete with or without opponents, contributed nothing to repairing the deep divisions in the country's largest political party, and weakened the JCE's tenuous credibility as a nonpartisan referee of the presidential election process between now and May 16.

The first and so far only official PRD candidate, elected in a primary December 7 (Ref A), PRD president Hatuey De Camps lost his advantage when the JCE ruled invalid the November 15 rump meeting of the PRD National Executive Committee (CEN) that had authorized the primary election that nominated him. Hatuey bitterly criticized the JCE -- and specifically its plenary president Luis Arias -- for acting not as independent judges, but as partisans of Mejia's PRD/PPH faction. Hatuey said his legal team would consider a possible appeal to the Supreme Court. (Note: JCE decisions normally cannot be appealed, but may be if constitutional issues are involved. End note.)

A different CEN meeting on November 15, which had convoked a PRD primary to include President Mejia and three other candidates, received the JCE seal of approval. The organizers of this CEN had asked the JCE to rule on which CEN legally represented the PRD. The JCE found that the second CEN -- attended by more than 500 members -- had gathered a quorum according to PRD rules, but the Hatuey De Camps CEN had fallen far short. The JCE also ordered the PRD to reopen the nominating process to anyone not yet in the game.

The three other challengers to Mejia -- Vice President Milagros Ortiz-Bosch, Tourism Secretary Rafael "Fello" Subervi, and Emmanuel Esquea -- held firm on their recent withdrawal from the authorized PRD primary with President Mejia, now rescheduled for January 18 (Ref B). The three are considering a plan to commission two preference polls among PRD members and to unite behind whichever of the three scores the highest.

The situation could unfold in several ways: (1) Former nominee Hatuey De Camps may join with the three now that they have dissociated themselves from Mejia's primary; (2) The three -- or four -- may pool their supporters behind a single candidate to try to convince Mejia to drop out; or (3) The three may back a unity candidate who would then reverse position and re-enter the January 18 primary against Mejia. In its ruling, the JCE stipulated that it would monitor the primary election to ensure compliance with party rules and the law.

JCE Dispute Resolution Chamber presiding judge Salvador Ramos promised to publish a full text of the decision with supporting arguments, but the release has been delayed. Plenary presiding judge -- and JCE head -- Arias publicly disclaimed any responsibility and said the JCE's Dispute Resolution Chamber had exclusive power to decide the case. Press reports indicated that the chamber's five judges had reached a 3-2 decision, with presiding judge Ramos reversing his position at the last minute. According to the reports, the minority judges had proposed invalidating both CEN meetings, thus requiring the conflicting factions to compromise on a revised presidential nomination procedure.

As of Christmas Eve, a traditional family holiday here, Archbishop Nicolas de Jesus Cardinal Lopez Rodriguez's recent call for a political truce is expected to postpone further significant moves until early January. But for the PRD, already behind in nominating its presidential candidate, each delay dims the divided party's election prospects.

12. (U) Drafted: Bainbridge Cowell.

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